

HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AT&T MOBILITY LLC,

Plaintiff,

v.

MARC SAPATIN, SAPATIN NGUYEN  
ENTERPRISES, INC., SAPATIN  
ENTERPRISES, INC., NGUYEN LAM,  
KYRA EVANS, PRASHANT VIRA, SWIFT  
UNLOCKS, INC. and JOHN DOES 1-50,  
United States individuals and entities,

Defendants.

No. 2:15-cv-01462-JNW

ORDER GRANTING JOINT MOTION  
TO EXTEND STAY

NOTING DATE: MAY 30, 2024

This matter came on for hearing upon the Joint Motion to Extend Stay submitted by the parties.

Having considered the motion, the Court continues the current stay of the case, subject to the following conditions:

a. AT&T may only seek relief from the stay or case closure as to a currently named Defendant if restitution is not adjudicated in the related criminal proceedings referenced above. AT&T's right to seek relief from the stay or case closure in order to seek leave to amend the Complaint to name additional defendants, however, shall not be restricted by this Order.

1           b.       AT&T shall promptly dismiss with prejudice all claims against each Defendant  
2 whose criminal proceeding is final and has resulted in AT&T having the opportunity to request  
3 restitution against that Defendant.

4           c.       For the avoidance of confusion, such dismissal shall occur no later than ten (10)  
5 days after AT&T is notified that a guilty plea has been entered that affords AT&T the  
6 opportunity to request restitution against that particular Defendant and a sentence against that  
7 particular Defendant has been entered.

8           d.       If a related criminal proceeding has not yet resulted in the adjudication of  
9 restitution as to a particular Defendant by the time a temporary stay of proceedings expires, the  
10 remaining Parties shall stipulate to an additional stay or closure of this case, subject to approval  
11 by the Court, under the same terms as set forth herein.

12           e.       AT&T shall not pursue claims against a remaining Defendant unless AT&T is  
13 denied the opportunity to request restitution in that Defendant's criminal case.

14           f.       AT&T's dissatisfaction with the amount of restitution awarded against a  
15 particular Defendant, or a criminal court's decision not to award any restitution to AT&T, shall  
16 not provide AT&T with a basis to pursue claims against that Defendant.

17           g.       AT&T will report to the Court by no later than December 31, 2024 regarding  
18 the current status of all federal criminal investigations into the Defendants and whether there  
19 are grounds that would warrant allowing the case to remain open.  
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1 DATED: May 31, 2024.

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4 Jamal N. Whitehead  
5 United States District Judge

6 Presented by:

7 /s/ David A. Bateman

8 David Bateman, WSBA #14262  
9 K&L GATES LLP  
10 925 Fourth Avenue, Suite 2900  
Seattle, WA 98104-1158  
Phone: (206) 370-6682  
david.bateman@klgates.com

11 David L. Balser, Georgia Bar No. 035835  
12 (*pro hac vice application forthcoming*)  
13 Lawrence A. Slovensky, GA Bar No.  
14 653005  
15 (*pro hac vice application forthcoming*)  
16 KING & SPALDING LLP  
1180 Peachtree St. NE  
Atlanta, Georgia 30309-3521  
Tel: (404) 572-4600  
Fax: (404) 572-5100

17 *Counsel for Plaintiff*  
18 *AT&T Mobility LLC*  
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